

The Honorable John P. Cronan  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

March 21, 2022

RE: *Prospect Capital Corporation v. Silicon Valley Bank*, 1:21-cv-00314-JPC-OTW

Dear Judge Cronan:

The parties jointly submit this letter in accordance with Your Honor's order entered March 15, 2022 (ECF No. 57).

The parties have completed their respective document productions and have each served deposition notices on party corporate representatives.

The parties request that the Court stay party discovery while they attempt to mediate a resolution in order to conserve resources.

Prospect has served document subpoenas on third parties Lovell Minnick and Citizens Bank and is awaiting production, which is overdue. Prospect also intends to take the deposition of the corporate representative of Lovell Minnick. The parties, accordingly, seek a stay of party discovery deadlines, and SVB does not object to excluding these third parties from the stay.

Very truly yours,

<p>/s/ Adam M. Burton 10 East 40<sup>th</sup> Street 45<sup>th</sup> Floor New York, NY 10016 <a href="mailto:aburton@prospectcap.com">aburton@prospectcap.com</a> (646) 380-1723</p> <p><i>Counsel for Prospect Capital Corp.</i></p>	<p>/s/ Jamie A. Levitt Morrison &amp; Foerster LLP 250 West 55th Street New York, NY 10019 <a href="mailto:jlevitt@mofo.com">jlevitt@mofo.com</a> (212) 468-8203</p> <p><i>Counsel for Silicon Valley Bank</i></p>
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The parties' request is granted. Discovery is stayed pending conclusion of the parties' settlement conference with Judge Wang. The parties shall file a status letter within one week of the final settlement conference. The Clerk of Court is respectfully directed to close the motion pending on Docket 56.

SO ORDERED.

Date: March 22, 2022  
New York, New York

  
JOHN P. CRONAN  
United States District Judge